

MINUTES ADOPTED BY CITY COUNCIL

Greenville, NC
January 13, 2005

The Greenville City Council met in a regular meeting on the above date at 7:00 PM in the City Council Chambers, third floor of the Municipal Building, with Mayor Robert D. Parrott presiding. The meeting was called to order, followed by the invocation by Council Member Craft and the pledge of allegiance to the flag. The following were present.

Mayor Robert D. Parrott
Mayor Pro-Tem Ric Miller
Council Member Mildred A. Council
Council Member Ray Craft
Council Member Pat Dunn
Council Member Rose H. Glover
Council Member Chip Little
Wayne Bowers, City Manager
Wanda T. Elks, City Clerk
David A. Holec, City Attorney

APPROVAL OF AGENDA

City Manager Bowers reported that a closed session needs to be added to the agenda.

Motion was made by Council Member Craft and seconded by Council Member Council to approve the agenda as presented, with the addition of a closed session. Motion carried unanimously.

SPECIAL RECOGNITIONS

Craig Goess of Greenville Toyota was presented a plaque in appreciation for his donation of a BMW motorcycle for the Traffic Safety Unit.

James E. Filmore was presented with a plaque upon his retirement with 25 years of service in the Public Works Department.

Volunteers who helped with the City of Greenville/Greenville Utilities Commission Caring is Sharing Food Drive were presented with Certificates of Appreciation.

APPOINTMENTS TO BOARDS AND COMMISSIONS

Affordable Housing Loan Committee

Council Member Little requested that the appointment to the Affordable Housing Loan Committee be continued to February.

Citizens Advisory Commission on Cable Television

Mayor Pro-Tem Miller requested that the appointments to the Citizens Advisory Commission on Cable Television be continued to April.

Firemen's Relief Fund Committee

Motion was made by Mayor Pro-Tem Miller and seconded by Council Member Little to reappoint Henry McNeese for a two-year term that expires January 2007. Motion carried unanimously.

Historic Preservation Commission

Motion was made by Council Member Council and seconded by Council Member Dunn to appoint Shelva Davis to the Historic Preservation Commission for a first full term to expire January 2008, replacing Sheridan Jones, who resigned; to reappoint Jeremy Jordan for a first full term that will expire January 2008; to appoint Marsha Milligan for a first term to expire January 2008, replacing Elizabeth Thorpe, who is not eligible for reappointment; and to appoint Candace Pearce for a first full term to expire January 2008 to replace Julie Vincent, who did not meet the attendance requirements. Motion carried unanimously.

Planning and Zoning Commission

Council Member Craft requested that the appointment to the Planning and Zoning Commission be continued to February.

Police Community Relations Committee

Mayor Parrott announced that he had appointed Cynthia Cox to the Police Community Relations Committee for a first full term that will expire October 2007.

Mayor Pro-Tem Miller announced that he had appointed Michael McCammon for a first full term that will expire October 2007.

Public Transportation and Parking Commission

Motion was made by Council Member Dunn and seconded by Council Member Glover to continue the replacement for Jonathan Russell and to appoint Shannon White for a first full term to expire January 2008, replacing Charles Thomas, who is ineligible for reappointment.

NOMINATION FOR CITY COUNCIL REPRESENTATIVE TO THE PITT COUNTY DEVELOPMENT COMMISSION

Motion was made by Mayor Pro-Tem Miller and seconded by Council Member Council to nominate Todd Skinner as the City Council Representative to the Pitt County Development Commission. Motion carried unanimously.

APPOINTMENT OF A CITY REPRESENTATIVE TO THE MID-EAST COMMISSION

Motion was made by Council Member Little and seconded by Council Member Glover to reappoint Merrill Flood to the Mid-East Commission to serve on the Board for a second two-year term beginning January 2005 and ending January 2007. Motion carried unanimously.

ORDINANCE REZONING HARRELL C. AND KRISTEY C. PASCASIO PROPERTY LOCATED ALONG THE WESTERN RIGHT-OF-WAY OF FICKLEN STREET, NORTH OF NINTH STREET, AND SOUTH OF DICKINSON AVENUE, FROM CDF TO CD - ADOPTED

City Manager Bowers reported that a notice of public hearing was published in The Daily Reflector on January 3 and 10, 2005 setting this time, date and place for a public hearing to consider a request by Harrell C. and Kristey C. Pascasio to rezone a 0.36 acre located along the western right-of-way of Ficklen Street, north of Ninth Street, and 170± feet south of Dickinson Avenue, from CDF to CD. The Planning and Zoning Commission voted to recommend approval of the request at its December 21, 2005 meeting.

Mr. Harry Hamilton, Chief Planner, delineated the property on a map and stated that the two parcels to the north, the former Dieners Bakery and the lot behind it, were rezoned from CDF to CD. The building was converted for mixed use with commercial and multi-family. The lot adjacent to the subject property is used for parking. To the south is unoffensive industry and the remaining area is zoned CDF. The proposed CD district has zero lot lines, no vegetation requirements, no parking requirements for non-residential use and has relaxed parking requirements if developed as residential. The Land Use Plan recommends commercial and a detailed traffic report was not prepared. The requested zoning should not affect current or future traffic conditions.

Mayor Parrott declared the public hearing open and solicited comments from the audience. There being none, the public hearing was closed.

Motion was made by Council Member Craft and seconded by Council Member Little to adopt the ordinance rezoning a 0.36-acre tract along the western right-of-way of Ficklen Street, north of Ninth Street, and south of Dickinson Avenue, from CDF to CD. Motion carried unanimously. (Ordinance No. 05-02)

ORDINANCE ANNEXING DVML, LLC PROPERTY (CHESAPEAKE WOODS, SECTION 3) LOCATED AT THE TERMINUS END OF ONTARIO DRIVE - ADOPTED

City Manager Bowers reported that a notice of public hearing was published in The Daily Reflector on January 3, 2005 setting this time, date and place for a public hearing to consider a request by DVML, LLC to annex Chesapeake Woods, Section 3, involving 4.632 acres located at the terminus end of Ontario Drive. This is a contiguous annexation.

Mr. Merrill Flood, Director of Planning and Community Development, delineated the property on a map and stated that the property is located in Voting District 5. The property is currently

vacant, and the proposed use is for 6 single-family dwellings. The current population is 0, and the anticipated population at full development is 14, with 2 being minority.

Mayor Parrott declared the public hearing open and solicited comments from the audience. There being none, the public hearing was closed.

Motion was made by Council Member Council and seconded by Council Member Glover to adopt the ordinance annexing Chesapeake Woods, Section III, involving 4.632 acres located at the terminus end of Ontario Drive. Motion carried unanimously. (Ordinance No. 05-03)

ORDINANCE ANNEXING LEWIS LAND DEVELOPMENT, LLC (SOUTH POINTE, SECTION ONE) LOCATED EAST OF NC HIGHWAY 11 (MEMORIAL DRIVE) AND AT THE TERMINUS END OF SOUTH SQUARE - ADOPTED

City Manager Bowers reported that a notice of public hearing was published in The Daily Reflector on January 3, 2005 setting this time, date and place for a public hearing to consider a request by Lewis Land Development, LLC to annex South Pointe, Section 1, involving 11.88 acres located 1,175 feet east of NC Highway 11 (Memorial Drive) and at the terminus end of South Square. This is a contiguous annexation.

Mr. Merrill Flood, Director of Planning and Community Development, delineated the property on a map and stated that the property is located in Voting District 5. The property is currently vacant, and the proposed use is for 36 duplex lots (72 dwelling units). The current population is 0, and the anticipated population at full development is 169, with 55 being minority.

Mayor Parrott declared the public hearing open and solicited comments from the audience. There being none, the public hearing was closed.

Motion was made by Mayor Pro-Tem Miller and seconded by Council Member Glover to adopt the ordinance annexing South Pointe, Section One, involving 11.88 acres located 1,175 feet east of NC Highway 11 (Memorial Drive) and at the terminus end of South Square. Motion carried unanimously. (Ordinance No. 05-04)

REQUEST BY TRAC ENRICHMENT CENTER, INC. AND MCCLOUD'S COMPUTER AND SKILLS TRAINING CENTER, INC FOR THE CITY TO SERVE AS SPONSOR OF A GOVERNOR'S CRIME COMMISSION GRANT APPLICATION - APPROVED

City Manager Bowers informed the Council that staff contacted the Governor's Crime Commission regarding the question of the City's responsibility. The State informed staff that non-profit organizations under certain categories of this grant must be the applicant and receive funds through a unit of local government. The local government is responsible for signing the application for funding; accounting of the grant funds; and reviewing expenditures, grant reports and certification of expense eligibility. The commission and unit of local government sign a specific agreement when the grant is awarded. The State representative indicated that there is almost always, although it is not a State requirement, a separate agreement between the non-profit and the local government. Therefore, it is recommended that if the grant is approved that there be an agreement between the non-profit and the City. The State representative further

stated that this type of application from a local government with program operation by a non-profit organization is a fairly typical arrangement and the closest current grant involves the City of Rocky Mount. The City of Rocky Mount has an agreement with the non-profit; and if the Council wishes to proceed, the agreement used by the City of Rocky Mount can be used as a guide.

Ms. Evelyn Holmes from TRAC Enrichment Center stated that they are asking that the City of Greenville be the official agent for the Governor's Crime Grant. They are applying for an afterschool program grant for elementary, middle and high school students. At the North Carolina Center of Afterschool Programs Conference held in Rocky Mount today, it was reiterated that although in this area there are many afterschool programs, there are still a number of students not served. The most underserved population of students is the middle grade and high school students because their parents feel they are old enough to stay at home alone. Because the parents are at work between 3:00 and 6:00, they are exposed to juvenile delinquent behaviors. The program that TRAC is proposing will also address the academic issue. The Summit showed that 58% of the children involved in the juvenile court system are also failing in school. This program will provide a safe environment for the youth, provide a balanced academic and enrichment program and also deter delinquent juvenile behavior. McCloud's Computer Skill Training Center and TRAC Enrichment Center decided to partner as non-profit organizations to address the whole family and the whole child. Many times when there is an at-risk elementary student having problems, there are usually siblings in the household. Ms. Holmes stated that she is involved in elementary education and Ms. McCloud has a computer skill training center that addresses adolescents and adults. Thus, they teamed to address the whole family. A listing of the board of directors and 501(C)(3) information was provided to Council (Document No. 05-2).

Ms. Holmes stated that they are willing to partner with other nonprofit organizations. One of the issues suggested at the Summit today was nonprofit organizations, faith based organizations, community businesses, and community agencies getting together in Pitt County to work together as a team to seek funds for much needed programs. They met in groups today and decided that it might be good to try to partner with a neighboring county, Martin County, to enable them to address the entire issue of children being left at home alone and getting into trouble in the hours between school letting out and the parents getting home from their jobs.

Upon being asked to explain more about the grant, Ms. Holmes explained that the group had budgeted around \$200,000 per year per program and there are three programs. McCloud and Associates has applied for two and TRAC has applied for one. There are three different budgets as the request is for three different programs. They are trying to get other grants and donations from other agencies. There are three different grant requests because the Governor's Crime Grant is broken into six sections. The TRAC Enrichment Center grant request falls under Preventive, and the Chance and Second Chance grant requests by McCloud's Computer and Skills Training Center, Inc. fall in the area of juvenile intervention. If different issues are going to be addressed, a separate application has to be submitted for each. The different programs are for different age groups. When people leave elementary and are left to their own devices, they fall back into the juvenile behavior. They have teamed to come up with three programs to address the holistic issue of entire family. The grant will cover children countywide, wherever there is a need.

Ms. Holmes further stated that the State approves the group based on the budget and the group will then have to submit to the City how the money will be spent. There is monthly documentation that has to be sent to Raleigh to be reimbursed. Some of the funding of the program is in-kind. The City is not being asked for any funds for this grant.

City Manager Bowers stated that they are at the pre-application stage. If the pre-application that is submitted by January 31 is approved, they would be invited to complete a full application. At that point, they would know what the specific requirements of the City are. They will be passed on in the agreement with the non-profit to make sure they comply with all State requirements.

TRAC Enrichment Center, Inc. and McCloud's Computer and Skills Training Center, Inc. were commended for partnering to bring funds into the community and were thanked for the time and effort they put into this.

Motion was made by Council Member Craft and seconded by Council Member Council to approve the request by TRAC Enrichment Center, Inc. and McCloud's Computer and Skills Training Center, Inc. for the City to serve as sponsor of a Governor's Crime Commission Grant Application. Motion carried unanimously. (Contract No. 1382)

CUSTODIAL AGREEMENT AND RESOLUTION APPROVING FINISTAR, INC. AND GATEWAY BANK AND TRUST COMPANY AS A DEPOSITORY OF CITY FUNDS – APPROVED AND ADOPTED

City Manager Bowers stated that when he became City Manager, the Mayor and he discussed City investments and the fact that the economy is moving from a time of low interest rates to rising interest rates. The earnings the City has been receiving have been limited because of the low interest rates. It is now time to take advantage of other instruments that will return higher yields in a rising interest rate environment. He has created an internal investment committee consisting of Bernita Demery, Bill Richardson and himself to review what is available to diversify the investments. One of the options they will present tonight is Finstar, a new type of investment to the City. It is a rather innovative approach to investing City funds that has the advantage of making limited investments in certain community banks and providing the guarantee of the federal government. He submitted a revised resolution to the Council that eliminated the \$1 million cap that was in the draft resolution. They are designating Gateway Bank as the custodian along with Finistar. The agreement doesn't have a dollar limit. Although they intend not to invest more than \$1 million, this will give them leeway to go above that should the program prove successful.

Ms. Demery stated that Finistar was established September 1, 2004 as a wholly owned subsidiary and it is a patent business that allows the City to invest in more North Carolina local banks, such as Millennia Bank. They are mostly banks from North Carolina. Finistar has indicated that it has over 40 banks, many in North Carolina and bordering states. This is a good opportunity for the City to take advantage of. The concept is that each investment would be insured. They would be investing \$95,000 with each of the local banks. The request is that the Council approve the resolution designating Gateway Bank and Trust Company and the participating banks as defined in the custodial agreement with Finistar and Gateway as official depositories of the City of Greenville.

Council Member Glover questioned why the independent auditors of the City said they did not have a good feeling about this and why they wouldn't put city dollars into it at this time.

Ms. Demery replied that Finistar is such a new group that the auditors had questions. Finistar is going to meet with the City auditors and introduce themselves just like they did to the City of Greenville.

Mayor Parrott informed the Council that now the City invests excess funds in the North Carolina Trust Fund. Most of those funds are sent to Boston and New York and invested in commercial paper. These funds would be invested in community banks in North Carolina, which would give them a source of capital, which is insured by FDIC. The funds would be more secure than the funds they have now that are going to Boston and New York.

Ms. Demery stated that the North Carolina Trust Fund does have a track record and is a AAA rated fund.

After brief discussion, Mayor Parrott stated that the Investment Committee will look into other avenues for investments where they can earn more on the excess funds than they have in the past. With the rising interest rates, it gives them the opportunity to do that.

Ms. Demery stated that the City invested more locally two years ago before rates dropped so dramatically. After the rates dropped, it wasn't worthwhile to do it. They are looking at it again as rates continue to rise.

Motion was made by Mayor Pro-Tem Miller and seconded by Council Member Council to approve the resolution designating Gateway Bank and Trust Company and participating banks as defined in the Custodial Agreement with Finistar, Inc. and Gateway as official depositories of the City of Greenville. Motion carried unanimously. (Resolution No. 05-03, Contract No. 1383)

ORDINANCE AMENDING THE FY 2004-2005 CITY OF GREENVILLE BUDGET - ADOPTED

Motion was made by Council Member Craft and seconded by Council Member Council to adopt the budget ordinance amending the FY 2004-2005 City of Greenville budget. Motion carried unanimously. (Ordinance No. 05-05)

CONTRACT AWARD FOR THE PURCHASE OF A 75' QUINT FIRE ENGINE FOR STATION 6 - APPROVED

Motion was made by Mayor Pro-Tem Miller and seconded by Council Member Glover to award the contract for the 75' Quint Fire Engine for Station 6. Motion carried unanimously. (Contract No. 1384)

RESOLUTION DECLARING CERTAIN EQUIPMENT (AN EMS UNIT), AS SURPLUS TO THE CITY'S NEEDS AND AUTHORIZING ITS DISPOSITION BY SEALED BID - ADOPTED

Motion was made by Council Member Craft and seconded by Mayor Pro-Tem Miller to adopt the resolution declaring certain equipment (an EMS Unit) as surplus to the City's needs and authorizing its disposition by sealed bid. Motion carried unanimously. (Resolution No. 05-04)

ACQUISITION OF REAL PROPERTY LOCATED ADJACENT TO THE GREENVILLE UTILITIES COMMISSION'S OPERATIONS CENTER ON MUMFORD ROAD FOR THE USE AND BENEFIT OF GREENVILLE UTILITIES COMMISSION - APPROVED

Motion was made by Council Member Craft and seconded by Council Member Little to approve the acquisition of real property located adjacent to the Greenville Utilities Commission's Operations Center on Mumford Road for the use and benefit of Greenville Utilities Commission. Motion carried unanimously.

REPORT ON BIDS AWARDED

City Manager Wayne Bowers referred the Council to bids that had been awarded as follows:

| <u>Date</u> | <u>Item Description</u> | <u>Awarded To</u> | <u>Amount</u> |
|-------------|--|--------------------|---------------|
| 12/22/04 | Two (2) Manual/Advisory Defibrillators | Zoll Medical Corp. | \$49,515.44 |
| 12/23/04 | Six (6) Eyewitness In-Car Camera Systems | Kustom Signals | \$37,525.00 |

COMMENTS FROM MAYOR AND CITY COUNCIL

Recognition of Community Appearance Commission Awards

Council Member Craft reported on the Community Appearance Commission Award winners for December--The South Charles Professional Park Fountain, the law offices of Frank Cassiano and ReLeaf, Inc.

Council Member Glover stated that the Police Community Relations Committee met last night and discussed getting together to do a workshop to try to come together to focus on goals on how they can to do more for the community. She has a lot of information she can share with them. It would be better if they had more direction.

Council Member Council stated that the Pitt-Greenville Convention and Visitors Authority had their annual dinner last night. They are looking forward to another productive year and trying to get more family entertainment in the City.

Council Member Council stated that the AKA Black History Quiz Bowl will be held at 10:30 on February 5 at J. H. Rose High School. They are looking for people to compete.

CITY MANAGER'S REPORT

Reminder of Council Planning Session on Saturday, January 22, 2005 at 7:30 a.m.

City Manager Bowers reminded the Council of the Council Planning Session on Saturday, January 22, 2005 at 8:00 a.m. The session will be held at the Sports Connection. He gave an overview of the agenda and asked Council to come up with their top five goals and objectives to present at the Planning Session.

Consideration of Canceling the Third Meeting of the Month - January 24, 2005 at 6:00 PM

After being told by the City Manager that there are no items that have to be on the January 24 agenda, motion was made by Council Member Council and seconded by Mayor Pro-Tem Miller to cancel the January 24, 2005 City Council meeting. Motion carried unanimously.

Schedule of Events Honoring Dr. Martin Luther King Jr.

City Manager Bowers distributed a listing of Martin Luther King, Jr. events that will be going on through the weekend and on Monday.

Resignation of Public Information Officer

City Manager Bowers reported that this is the last meeting that the Public Information Officer, Deborah Clark, will be attending.

The Mayor and Council Members thanked Ms. Clark for her service to the City.

CLOSED SESSION

Motion was made by Mayor Pro-Tem Miller and seconded by Council Member Little to go into closed session to (1) consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged in accordance with G.S. 143-318.11(a)(3) and (2) to establish or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating the price and other material terms of a contract or proposed contract for the acquisition of terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease in accordance with G.S. 143-318.11(a)(5). Motion carried unanimously.

RETURN TO OPEN SESSION

Motion was made by Council Member Craft and seconded by Council Member Council to return to open session. Motion carried unanimously.

ADJOURN

Motion was made by Council Member Craft and seconded by Council Member Glover to adjourn the meeting at 9:20 p.m. Motion carried unanimously.

Respectfully submitted,

Wanda T. Elks, CMC
City Clerk